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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,094	11/30/2000	Craig R. White	10003980-1	6823

7590

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EXAMINER

WALLERSON, MARK E

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/727,094

Applicant(s)

WHITE, CRAIG R.

Examiner

Mark E. Wallerson

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-13 and 18-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-13 and 18-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Detailed Action

Art Unit: 2626

**Part III DETAILED ACTION**

*Notice to Applicant(s)*

1. This action is responsive to the following communications: amendment filed on 12/20/2004.

2. This application has been reconsidered. Claims 1-13 and 18-37 are pending.

**PART 1**

*Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Art Unit: 2626

4. Claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, and 37 are rejected under 35 U.S.C. 102(e) as being anticipated by Aoki (U.S. 6,631,008).

With respect to claims 1, 2, 3, 4, 6, 9, 18, 19, 23, 24, 28, 29, 31, and 36, Aoki discloses a system for processing a print job of a user comprising a print processing registry (30) configured to have print processing services of a plurality of print processing providers registered therein (column 8, lines 29-44), the print processing services including a storage capability of a print job storage provider to store a data file for the print job (which reads on the load of the printer) (column 12, lines 18-30); a processing capability of a print job processing provider to process the data file for the print job (column 8, lines 28-44); a printing capability of a print job print provider registered therein (column 8, lines 13-28), and a delivery capability of a print job delivery provider to deliver a completed print job to the user (which reads on determining the printing delay time) (column 8, lines 57-65), and means for receiving a print request for the print job from the user via a communication network (12) and processing and distributing the print job to the print provider (column 8, lines 5-28).

With regard to claims 5, 11, 12, 20, 21, 32, and 33, Aoki discloses the register (30) registers the storage capacity of the print provider (column 9, lines 27-37), and a storage provider identifier (column 8, lines 29-44).

With respect to claims 7, 8, 10, 13, 22, 34, and 37, Aoki discloses the printing capability includes printing quality capabilities (column 8, lines 57-65) and printer ID information (column 8, lines 37-44), and delivery capability (printing delay time) (column 8, lines 57-65), .

Art Unit: 2626

With respect to claims 25, 26, and 27, Aoki discloses storing, processing and printing the print job (column 8, lines 5-27).

With regard to claims 30 and 35 Aoki discloses the processing services include storage services (column 8, lines 13-27); processing services (column 8, lines 13-27); print services (column 8, lines 5-12), and delivery services (column 13, lines 54-64).

## **PART 2**

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-13 and 18-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Zingher (U.S. 5,897,260).

With respect to claims 1, 2, 3, 4, 6, 9, 18, 19, 23, 24, 28, 29, 31, and 36, Zingher discloses a system for processing a print job of a user comprising a print processing registry (column 3, lines 51-56) configured to have print processing services of a plurality of print processing providers registered therein (column 3, line 52 to column 4, line 6), the print processing services including a storage capability of a print job storage provider to store a data file for the print job (column 3, lines 62-65); a processing capability of a print job processing provider to process the

Art Unit: 2626

data file for the print job (column 3, lines 62-65); a printing capability of a print job print provider registered therein (column 3, line 52 to column 4, line 6), and a delivery capability of a print job delivery provider to deliver a completed print job to the user (column 5, lines 3-15 and column 6, lines 8-28), and means for receiving a print request for the print job from the user (30) via a communication network (12) and processing and distributing the print job to the print provider (column 6, lines 8-65).

With regard to claims 5, 11, 12, 20, 21, 32, and 33, Zingher discloses the register registers the storage capacity of the print provider (column 3, lines 52-67), and a storage provider identifier (profile) (column 5, lines 60-67) and a storage cost (which reads on print cost) (column 4, lines 7-17).

With respect to claims 7, 8, 10, 13, 22, 34, and 37, Zingher discloses the printing capability includes printing quality capabilities (column 3, line 52 to column 4, line 6) and printer ID information (column 5, lines 60-67), and delivery capability (column 6, lines 20-28).

With respect to claims 25, 26, and 27, Zingher discloses storing, processing and printing the print job (column 3, lines 52-62).

With regard to claims 30 and 35, Zingher discloses the processing services include storage services, processing services, print services, and delivery services (column 3, line 52 to column 4, line 6 and column 6, lines 8-28).

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-13 and 18-37 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

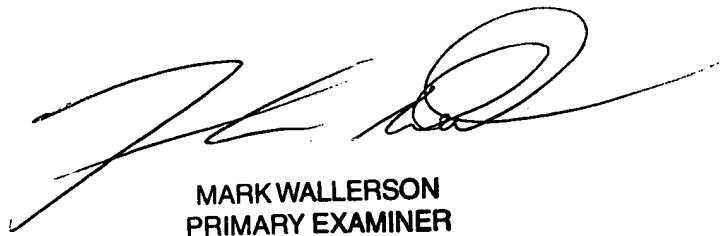
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark E. Wallerson whose telephone number is (571) 272-7470. The examiner can normally be reached on Monday-Friday - 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2626

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark E. Wallerson  
Primary Examiner  
Art Unit 2626



MARK WALLERSON  
PRIMARY EXAMINER